

REMARKS

This Preliminary Amendment introduces the cross-reference to parent PCT application; presents editorial revisions to the specification, and presents amended claims.

The amended specification incorporates aspects of an amendment filed during the PCT stage.

The mention of a U.S. counterpart to EP 08 11633 is for ease of reference and, since the disclosures appear comparable, it is thought no new matter has been introduced.

The amended claims are intended to avoid multiply-dependent claims and to revise the European approved double recitation of ranges (e.g., "preferably" clauses). New claims carry forward the "preferably."

The expression UHT in the claims means ultra higher temperature, as would be understood by a person skilled in the art.


The present Examiner will appreciate that the PCT searching authority addressed all claims (see MPEP §803, counseling Examiner address all claims in one case), issued a Search Report, and concluded claims 1-9 (as amended during the PCT stage) defined novel, unobviousness inventions that have "industrial applicability." See enclosed IPER and ISR.

Claims 1, 2, 6, 7, 8, 10, 13, 14 and 16-21 relate to allowable PCT claims 1-9, and would appear to be allowable too.

Applicants respectively request entry of this Preliminary Amendment, initials on the enclosed PTO-1449 type forms to acknowledge consideration of the documents cited (see ISR and specification), and a favorable first action on the merits.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By: 
Kendrew H. Colton
Registration No. 30,368

Customer No. 42798
FITCH, EVEN, TABIN & FLANNERY
1801 K Street, NW
Suite 401L
Washington, DC 20006-1201
Telephone: (202) 419-7000
Facsimile: (202) 419 -7007